

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

IN THE MATTER OF THE EXTRADITION
 OF
 FRANCISCO MARTIN a.k.a. FRANCISCO
 MARTIN MARTIN a.k.a. JHONNY DE JESUS
 MARTIN MARTIN a.k.a. "PANCHO" a.k.a.
 "PANCHO MARTIN".

2:13-cv-00467-GMN-CWH

ORDER OF DETENTION

The Court conducted an initial appearance hearing on the Complaint for Extradition (#1) in the above-entitled matter on May 1, 2013 at which time the Court advised the Defendant Francisco Martin of the allegations in the Complaint, and of his rights with respect thereto. The Court set a hearing on the Complaint pursuant to Title 18 of the United States Code, Section 3184 for May 23, 2013.

There is a presumption against bail in extradition cases and only special circumstances justify release on bail. *United States v Castaneda-Castillo*, 739 F.Supp.2d 49 (D.Mass. 2010), citing *United States v. Kin-Hong*, 83 F.3d 523, 524 (1st Cir. 1996) and *Wright v. Henkel*, 190 U.S. 40, 63, 23 S.Ct. 781, 787, 47 L.Ed. 948 (1903). Mr. Martin did not move for release pending the extradition hearing and waived his right of temporary custody under the Interstate Agreement on Detainers Act. Accordingly, Mr. Martin may be returned to the custody of the Nevada Department of Corrections pending resolution of the extradition proceedings. Accordingly,

IT IS HEREBY ORDERED that Defendant be detained pending the conclusion of the pending extradition proceedings.

DATED this 1st day of May, 2013.


 GEORGE FOLEY, JR.
 United States Magistrate Judge